



Attorney's Docket No. 003786-060

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )

Ulrich GERBER et al )

Application No.: 09/916,485 )

Filed: July 30, 2001 )

For: POLYHYDROXYL-COMPOSITIONS )  
DERIVED FROM CASTOR OIL )  
WITH ENHANCED REACTIVITY )  
SUITABLE FOR POLYURETHANE- )  
SYNTHESIS )

Group Art Unit: 1625

Examiner: Taylor V. Oh

Confirmation No.: 8847

**RESPONSE TO NOTICE OF  
NON-COMPLIANT AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants are in receipt of a Notice of Non-Compliant Amendment mailed June 5, 2003, concerning an amendment recently filed in the above-identified application. The Notice is believed to be in error and should be rescinded for the following reasons.

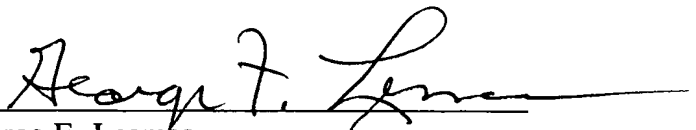
The Amendment filed May 13, 2003, was in full compliance with the practice authorized by Deputy Commissioner Kunin in a communication dated January 31, 2003 (copy attached). A clean version of replacement paragraphs and claims is no longer required.

Applicants respectfully request official notification that the Amendment filed  
May 13, 2003, was in full compliance with Patent Office practice and has been entered.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: June 16, 2003

By:   
George F. Lesmes  
Registration No. 19,995

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
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DATE MAILED:

### Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 5/13/03 is considered non-compliant because it has not been submitted in the format required under 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000).

- ☒ 1. The amendment does not include a clean version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(ii).
- ☐ 2. The amendment does not include a marked-up version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(iii).
- ☒ 3. The amendment does not include a clean version of the amended claim(s). 37 CFR 1.121(c)(1)(i).
- ☐ 4. The amendment does not include a marked-up version of the amended claim(s). 37 CFR 1.121(c)(1)(ii).
- ☐ 5. Other \_\_\_\_\_

☐ **PRELIMINARY AMENDMENT:** Unless applicant re-submits the preliminary amendment in compliance with revised 37 CFR 1.121 within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

For your convenience, attached to this correspondence is a copy of an informational flyer (MPEP Bookmark Bulletin on "Simplified Amendment Practice").

*In Peoples*  
Legal Instruments Examiner

308-1133